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January 8, 2009

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Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: ET Docket Nos. 06-135 and 05-203  
Notice of Ex Parte Presentation

Dear Ms. Dortch:

On January 7, 2009, Laura Stefani and the undersigned, counsel to DexCom, Inc. ("DexCom"), and Jorge Valdes, Steve Pacelli and Shawn Larvenz of DexCom, spoke by telephone with Geraldine Matisse, Bruce Romano and Gary Thayer of the Office of Engineering and Technology ("OET").

The subject of the discussion concerned DexCom's request for an extension of its current waiver.<sup>1</sup> DexCom clarified that it seeks an extension only with regard to its Short-Term Sensor (STS) and that it does not require an extension for the Long-Term Sensor (LTS). Additionally, DexCom explained that, pursuant to the existing waiver, it will use the same STS transmitter in the combined insulin pump system, which will be marketed later this year.

DexCom also stressed the factors underlying its request for a five-year extension of its present waiver. A significant effort will be devoted to finding frequencies outside of the MICS band to use for its technology. The DexCom technology can operate only

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<sup>1</sup> Letter from Henry Goldberg to Julius Knapp, Re: Request for Extension of Waiver, ET Docket Nos. 05-213 and 06-135 (filed Sept. 23, 2008).

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on a limited number of frequencies, making research and development more complicated. Because DexCom must work with several other partner companies to integrate its technology into their insulin pumps, coordination and research and development will be a much more complicated and extended process than if DexCom were designing a product on its own. Accordingly, DexCom estimates that the design process could well take over two years, including testing, validation and FDA clinical trials. Moreover, the FDA approval process will involve the filing of at least three different applications, any of which could be delayed if the FDA requests additional information. DexCom estimates that this FDA process will take at least one year.

Additionally, given that it must work jointly with its partners to manufacture and market the new product, DexCom estimates that it will take one year to accomplish this. DexCom believes that, while the timeframe is a conservative estimate, given the many engineering and planning complexities involved it is prudent that it seek sufficient time to cover all likely problems that could be encountered in transitioning out of the MICS band.

Please direct questions concerning this matter to the undersigned.

Respectfully submitted,

A handwritten signature in black ink that reads "Henry Goldberg". The signature is written in a cursive style with a large, prominent "H" and "G".

Henry Goldberg  
*Attorney for DexCom, Inc.*

cc: Julius Knapp  
Bruce Romano  
Gary Thayer  
Geraldine Matisse  
Jamison Prime  
Charles Mathias